

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of

APR 20 2005

HAYNES et al

Atty. Ref.: 1579-548; Confirmation No. 4002

OFFICE OF PETITIONS

Appl. No. 09/775,805

TC/A.U. 1648

Filed: February 5, 2001

Examiner: Stucker, J.

For: HUMAN IMMUNODEFICIENCY VIRUS IMMUNOGENIC COMPOSITION

* * * * *

April 20, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313

It is hereby requested that the above-identified application be withdrawn from issue, the Issue Fee having been paid on September 21, 2004. Withdrawal is necessary so that the request for continued examination (RCE) in compliance with 37 CFR 1.114, and accompanying Information Disclosure Statement, both of which are submitted concurrently herewith, can be considered.

The Information Disclosure Statement submitted with the concurrently filed RCE includes references cited in a Search Report for a corresponding foreign application, as well as other documents. This request for withdrawal from issue is made so that the Examiner can be made aware of the citations in the Information Disclosure Statement. It is submitted that providing an opportunity for these documents to be made of record constitutes good and sufficient reason why withdrawal of this application from issue is necessary.

HAYNES et al
Appl. No. 09/775,805
April 20, 2005

The fee required under 37 CFR 1.17(h) is submitted herewith.

It is respectfully requested that this Petition be granted.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

MJW:tat
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Telephone: (703) 816-4000
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 312
EXPEDITED HANDLING PROCEDURES

In re Patent Application of Atty Dkt. 1579-548
 C# M#
 HAYNES et al TC/A.U. 1648
 Serial No. 09/775,805 Examiner: Stucker, J.
 Filed: February 5, 2001 Date: April 20, 2005
 Title: HUMAN IMMUNODEFICIENCY VIRUS IMMUNOGENIC COMPOSITION

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OFFICE OF PETITIONS

Mail Stop Issue Fee

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
 previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
 previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
 \$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
 paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: Petition Fee \$ 130.00

TOTAL FEE ENCLOSED \$ 130.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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 Arlington, Virginia 22201-4714
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NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature:

Mary J. Wilson